



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 199]

नई दिल्ली, सोमवार, अप्रैल 30, 1984/बैशाख 10, 1906

No. 199]

NEW DELHI, MONDAY, APRIL 30, 1984/VAISAKHA 10, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate
compilation

गृह मंत्रालय

अधिसूचना

नई दिल्ली 30 अप्रैल, 1984

का० आ० 332(अ) :—केन्द्रीय सरकार द्वारा, भारत सरकार के गृह मंत्रालय की अधिसूचना सं० का० आ० 775(अ) तारीख 26 अक्टूबर, 1983 में अर्न्तविष्ट विषय-सामग्री पर न्याय-निर्णयन करने के लिए भारत सरकार के गृह मंत्रालय की अधिसूचना संख्या : 856(अ) तारीख 25 नवम्बर, 1983 द्वारा गठित “विधि विरुद्ध क्रियाकलाप (निवारण) अधिकरण” ने जिसमें मोहार्टी उच्च न्यायालय के न्यायमूर्ति श्री के० ताहिरी थे, अपना कार्य पूर्ण कर लिया है;

और केन्द्रीय सरकार की यह राय है कि उक्त अधिकरण को जारी रखना आवश्यक है;

अतः केन्द्रीय सरकार विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते

हुए निदेश देता है कि पूर्वोक्त अधिकरण, इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से अस्तित्वहीन हो जाएगा।

[सं० 11/13/83-एन०ई०-I]

आई० पी० गुप्ता, संयुक्त सचिव (एन०ई०)

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 30th April, 1984

S.O. 332(E).—Whereas the “Unlawful Activities (Prevention) Tribunal”, consisting of Shri Justice K. Lahiri of Gauhati High Court, constituted by the notification of the Government of India in the Ministry of Home Affairs No. S.O. 856(E) dated the 25th November, 1983, to adjudicate upon the matter contained in the notification of the Government of India in the Ministry of Home Affairs No. S.O. 775(E) dated the 26th October, 1983 has completed its work ;

And whereas the Central Government is of the opinion that the continued existence of the said Tribunal is necessary ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 5 of Unlawful activities (Prevention) Act, 1967 (37 of 1967), the Central Government hereby directs that the aforesaid Tribunal shall cease to

exist with effect from the date of publication of this notification in the Official Gazette.

[No. 11/13/83-N.E. I]

I. P. GUPTA, Jt. Secy.

अधिसूचना

का० आ० 333 (अ) :- केन्द्रीय सरकार ने, विधि विरुद्ध क्रियाकलाप (निवारण) अधिनियम, 1967 (1967 का 37) की धारा 3 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, पीपल्स लिबरेशन आर्मी (ईस्टर्न रीजन), पीपल्स रिवोल्यूशनरी पार्टी आफ कांग्लेइपाक और उसकी रेड आर्मी तथा साथ ही प्रेषक की प्रणखियों जैसे कांग्लेइपाक कम्युनिस्ट पार्टी और उसकी सशस्त्र टुकड़ी, जिसे रेड आर्मी कहा जाता है तथा उनके द्वारा स्थापित अन्य निकायों को 26 अक्टूबर, 1983 की अधिसूचना सं० का० आ० 775 (अ) तारीख 26 अक्टूबर 1983 द्वारा विधि विरुद्ध संगठन घोषित किया था।

अतः केन्द्रीय सरकार ने उक्त अधिनियम की धारा 5 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए 25 नवम्बर, 1983 की अधिसूचना सं० का० आ० 856(अ) तारीख 25 नवम्बर 1983 द्वारा विधि विरुद्ध क्रियाकलाप (निवारण) अधिकरण गठित किया था जिसमें गोहाटी उच्च न्यायालय के न्यायाधीश न्यायमूर्ति श्री के० लाहिरी थे;

और केन्द्रीय सरकार ने उक्त अधिनियम की धारा 4 की उप-धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त अधिसूचना की उक्त अधिकरण को 22 दिसम्बर 1983 के इस प्रयोजनार्थ न्यायनिर्णयन के लिए निर्दिष्ट किया था कि उक्त संगठनों को विधि-विरुद्ध घोषित करने के लिए पर्याप्त कारण था या नहीं;

और उक्त अधिकरण ने उक्त अधिनियम की धारा 4 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना सं० 775(अ) तारीख 26 अक्टूबर, 1983 में की गई घोषणा की पुष्टि करते हुए 14 अप्रैल, 1984 को एक आदेश किया था;

अतः केन्द्रीय सरकार उक्त अधिनियम की धारा 4 की उप-धारा (4) के अनुसरण में, उक्त आदेश प्रकाशित करती है।

[सं० 11/13/83-एन० ई०-1]

NOTIFICATION

S.O. 333(E).—Whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 3 of the Unlawful Activities (Prevention) Act, 1967 (37 of 1967), declared on the 26th October, 1983 vide notification No. S.O. 775(E), dated the 26th October, 1983, the People's Liberation Army (Eastern Region), People's Revolutionary Party of Kangleipak and its Red Army, as also the offshoots of PREPAK like the Kangleipak Communist Party and its Armed wing, also called the Red Army and other bodies set up by them to be unlawful associations;

And whereas the Central Government in exercise of the powers conferred by sub-section (1) of section 5 of the said Act constituted on the 25th November, 1983, vide notification No. S.O. 856(E), dated the 25th November, 1983,

the Unlawful Activities (Prevention) Tribunal, consisting of Shri Justice K. Lahiri, Judge of the Gauhati High Court:

And whereas the Central Government, in exercise of the powers conferred by sub-section (1) of section 4 of the said Act referred the said notification to the said Tribunal on the 22nd December, 1983, for the purpose of adjudicating whether or not there was sufficient cause for declaring the said associations as unlawful.

And whereas the said Tribunal, in exercise of the powers conferred by sub-section (3) of section 4 of the said Act, made an order on the 14th April, 1984, confirming the declaration made in the notification No. S.O. 775(E), dated the 26th October, 1983;

Now, therefore, in pursuance of sub-section (4) of section 4 of the said Act, the Central Government hereby publishes the said order namely:—

ORDER

BEFORE THE UNLAWFUL ACTIVITIES (PREVENTION) TRIBUNAL

Reference under Section 4(1) of the Unlawful Activities (Prevention) Act, 1967 (34 of 1967).

In re : The People's Liberation Army (Eastern Region), generally known as the PLA, the People's Revolutionary Party of Kangleipak (PREPAK) and its "Red Army" as also the offshoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wing also called the "Red Army", which are known as "the Meitei Extremists Organisations".

PRESENT

The Hon'ble Mr. Justice K. Lahiri.

For the People's Liberation Army (Eastern Region), generally known as the PLA, the People's Revolutionary Party of Kangleipak (PREPAK) and its "Red Army" as also the offshoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wing also called the "Red Army", which are known as "the Meitei Extremists Organisations".

None appears.

For the Union of India and the State of Manipur—Mr. A. R. Barthakur; Mr. P. Barthakur, Advocates.

Place of sitting—Manipur House, 2, Sardar Patel Marg, New Delhi.

Date of argument—13-4-1984 and 14-4-1984.

Date of Order

14-4-84

ORDER

This is a reference made u/s. 4(1) of the Unlawful Activities (Prevention) Act, 1967, for short "the Act". By Notification No. S.O. 775(E) dated October 26, 1983, the Central Government declared the People's Liberation Army (Eastern Region) generally known as "PLA", the People's Revolutionary Party of Kangleipak, for short "PREPAK", the Red Army of the PREPAK as well as off-shoots of PREPAK like Kangleipak Communist Party (KCP) and its armed wings also called the "Red Army", which are known as "the Meitei Extremist Organisations", as unlawful associations. The Notification published in the Gazette of India, Extraordinary Part II, Section 3, sub-section (ii) of October, 1983 is extracted here'nbelow:—

MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 26th October, 1983

S.O. 775(E).—Whereas the People's Liberation Army (Eastern Region) generally known as the PLA, the People's Revolutionary Party of Kangleipak (hereinafter referred to as

यह तारीख भी सम्मिलित है और अवधि के लिए बढ़ा दी जाए;

अतः अब केन्द्रीय सरकार उद्योग विकास और विनियमन अधिनियम 1951 (1951 का 65) की धारा 18 चख की उपधारा (2) के साथ पठित उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त आदेश की अवधि 31 जुलाई 1984 तक की जिसमें यह तारीख भी सम्मिलित है और अवधि के लिए बढ़ाती है।

[फा० सं० 3 (6)/78-सी० यू० एस०]

ए० पी० सरवान, संयुक्त सचिव,

ORDER

S.O. 335/18FB/IDRA/84.—Whereas by the Order of the Government of India in the Ministry of Industry (Department of Industrial Development) No. S.O. 277(E)/18FB/IDRA/78, dated the 20th April, 1978 (hereinafter referred to as the said Order), the Central Government in exercise of the powers conferred by clause (b) of sub-section (1) of section 18FB of the Industries (Development and Regulation) Act, 1951 (65 of 1951), declared that the operation of all obligations and liabilities accruing or arising out of all contracts, assurances of property, agreements, settlements, awards, standing orders or other instruments in force, immediately before the date of issue of the said Order (other than those relating to secured liabilities to banks and financial institutions) to which the industrial undertakings known as : (i) Messrs Swadeshi Cotton Mills, Kanpur 5 (ii) Messrs Swadeshi Cotton Mills, Pondicherry, (iii) Messrs Swadeshi Cotton Mills, Naini, (iv) Messrs Swadeshi Cotton Mills, Maunath Bhanjan, (v) Messrs Udaipur Cotton Mills, Uaipur and (vi) Messrs

Rae Bareli Textile Mills, Rae Bareli, of Messrs Swadeshi Cotton Mills Company Limited, Kanpur, are parties or which may be applicable to such industrial undertakings shall remain suspended for a period of one year from such date and that all the obligations and liabilities accruing or arising thereunder before the said date shall remain suspended for the said period;

And, whereas, the Central Government being of opinion that it is necessary in the interest of the general public that the said Order should continue to have effect after the expiry of the period of one year aforesaid had declared from time to time, for such continuance for a further period upto and inclusive of the 30th April, 1984, vide Orders of the Government of India in the Ministry of Industry (Department of Industrial Development) Nos. S.O. 277(E)/18FB/IDRA/79, dated the 16th April, 1979, S.O. 262(E)/18FB/IDRA/80, dated the 17th April, 1980, S.O. 305(E)/18FB/IDRA/81, dated the 20th April, 1981, S.O. 272(E)/18FB/IDRA/82, dated the 20th April, 1982, S.O. 284(E)/18FB/IDRA/83, dated the 11th April, 1983, S.O. 526(E)/18FB/IDRA/83, dated the 27th July, 1983; and S.O. 42(E)/18FB/IDRA/84 dated the 30th January, 1984;

And, whereas, the Central Government is satisfied that the duration of the said Order should be extended for a further period upto and inclusive of the 31st July, 1984;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (2), of section 18FB of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby extends the duration of the said Order for a further period upto and inclusive of the 31st July, 1984.

[File No. 3(6)/78-CUS]

A. P. SARWAN, Jt. Secy.

6. The Background Story

From the records made available to this Tribunal it appears that the Meitei Extremist movement manifested itself in 1965. Some of the protagonists of the movement formed the Revolutionary Government of Manipur in the latter part of 1968 as they favoured a speedy armed revolution in collaboration with the Naga and Mizo undergrounds and with the assistance of some countries across the border for achieving the liberation of Manipur. However, many of the Meitei Extremist came overground and received rehabilitation benefits from the Government on the announcement of a general amnesty to all Meitei extremists in 1973. However, in the following year some disgruntled youth desired to revive the activities for the formation of independent Manipur comprising the State of Manipur to bring about secession of the said State from the Union of India by armed revolution. With that object in view young persons were sent out to the neighbouring countries for training in arms and ideology. The programme also included collection of arms and ammunition by killing armed police personnel, raids on isolated police force and army and violence on a large scale after collection of adequate arms and ammunition. The policy and programme of the Association known as the Armed Revolutionary Government of Manipur or otherwise known as the People's Liberation Army, "PLA" for short, acquired a firm shape around 1979. The PLA circulated various booklets including booklets in English, captioned "DAWN—Vol. I" and "DAWN—Vol. II", marked Exts. 13 and 14 respectively. The booklets outlined the policy and programme of the party, which included a speech of Shri N. Bisheswar, a leader of the PLA and an article written by him "Some important principles", the reactions of the PLA to the Shillong Accord (November 11, 1975) entered into by the former underground Naga Leaders, a criticism of the alleged Soviet expansionism, statement defending Chinese assistance to the liberation struggle of ethnic minorities and contained the policy of the PLA towards the counter revolutionaries. Sri N. Bisheswar called upon all to overthrow the Delhi regime by joint efforts. It evoked the people of Manipur and its neighbourhood to an armed revolution to be doggedly pursued till victory was achieved. The booklet laid stress on guerilla warfare and war of annihilation to achieve the objective of the party. The booklet sought to justify the 1962 Chinese aggression against India and the Chinese invasion of Vietnam. DAWN—Vol. II, marked Ext. 14 contains various slogans against the Government of India and it was clearly stated that they desired independence of Manipur. India was declared to be the enemy of the party.

The People's Revolutionary Party to Kangleipak, for short "PREPAK", was formed by some extremists who had parted company with "the PLA". The Organisation came to notice in November, 1978 when a pamphlet in Manipuri language, captioned "Bulletin for independence", marked Ext. 19(A), was issued. The Pamphlet inter alia declared that the party would continue to struggle for the independence of Manipur from the "Indian Imperialist" and their "watch dogs" and that it would annihilate the pet dogs of imperialist India for achieving independence. Another leaflet, marked Ext. 19, appealed to the youth of the region to revolt against the Government of India and requested the youth from their army known as the "Red Army" to bring freedom to the region. Ext. 21 is another leaflet declaring that let thousands and thousands of Red Army personnel of the PREPAK go on sacrificing their lives till Kangleipak, that is, Manipur is liberated. Another leaflet issued by the PREPAK entitling "In the Independent Struggle for Common People" declared that the PREPAK and its Red Army pledged to bring about equality amongst the masses and would liquidate all opposed to their party programme. Along with the leaflet posters containing a 7-Point Red Star, depicting in the centre a man holding a flag in his left hand and a rifle in the right hand containing the inscription "Long Live Red Army—PREPAK" were circulated in and around Imphal town. Various leaflets have been brought to show that it had raised an army called as Red Army, which carry out their orders.

In view of the declared objective of the Meitei Extremist Organisations and also in view of the violent activities of the Extremist Organisation, who indulged in the act of attacking the security forces and the civil Government and the citizen of the State of Manipur and their acts of looting and intimidation against the civilian population and collecting

fund for their Organisations, the Meitei Extremist Organisations including the PLA, PREPAK and then Red Army were declared unlawful Association u/s. 3(1) of "the Act" on the 26th October, 1979. After taking into consideration the materials placed before it, the Tribunal constituted under "the Act" came to the conclusion that the Central Government had sufficient cause for declaring the Meitei Extremist Organisations and bodies as unlawful associations and confirmed the declaration made by the Government.

The Organisations which were declared unlawful continued to operate underground and indulged in the acts of violence and the entire Imphal Valley was affected where for in September, 1980 the whole of the Imphal Valley was declared as disturbed area under the Armed Forces (Special Powers) Act, 1958, in September, 1980 to enable the Security Forces to take effective measures to curb the activities of the Extremist Organisations. The Government of Manipur had informed the Central Government that the Meitei Extremist Organisations such as PLA, PREPAK, Red Army, Off-shoots of PREPAK like the Kangleipak Communist Party (KCP) and its armed wing known as the Red Army and other bodies set up by the extremists were continuing their violent and subversive activities. During the period from October 26, 1979 till September 2, 1981 members of these Organisations were responsible for 404 acts of violent attacks on security forces, looting and intimidation of civilians, snatching of arms and ammunition and extortion of money in order to achieve their objective of establishing an independent Manipur State outside the Indian Union by violent means. The members of the Organisations were propagating openly their objective of formation of an independent Manipur and resorting to all kinds of violent and terrorist acts and activities to achieve their objective. Taking into account the continued violent activities of the Meitei Extremist Organisations, such as, PLP, PREPAK and KCP and having clear indication that their activities were likely to acquire a sharper edge in future the Central Government issued another notification on October 26, 1981 declaring the Meitei Extremist Organisations as unlawful associations. Various facts of continued violence and issuance of leaflets were placed before the Tribunal constituted to adjudicate whether the declaration was justified or not. DAWN—Vol. III, a booklet published by the PLA reiterated its objective in the earlier Volumes of DAWN. Another document was printed outlying the objective as (i) to liberate the Eastern Region of India consisting of Arunachal Pradesh, Nagaland, Manipur, Mizoram, Tripura, Meghalaya and Assam through a carefully planned revolutionary uprising, and, (ii) to use the area as a base for liberating the rest of the people of India. Various documents were proved to show how the Government of India was belittled. The leaflets were circulated in the name of PLA (Eastern Region) criticising the role of the Army and called upon the people of Manipur to revolt against the Army personnel and claimed that the PLA would wipe out the Indian Army. The PLA continued to be the most important extremist group in Manipur and built up sizeable following among the Meiteis in the Manipur Valley. It established 5 base camps, within Manipur itself, which were termed as "the Revolutionary Badge Area" and undertook fresh recruitment extending their influence among the people through systematic propaganda as well as intimidation, augmenting their arsenal by indulging in attacks on Security Forces, police forces and acquired financial resources through arm looting, extortion and regular contributions from a cross section of the Meitei society. There were innumerable acts of violence and the PLA itself claimed the credit for the violence and the PLA itself claimed the credit for the violent incidents. However, it suffered reverse in the wake of the combined operation launched by the Army and the Police, whereupon the PLA started the programme of liquidation of the so-called informers and issued leaflets to those effects. The PLA continued its campaign for winning public support as well as for fostering anti Government and anti-national sentiments among the people by issuing various pamphlets. It approached various insurgent and extremist groups of the Eastern Region for cooperation and broad-basing their movement. The PLA made arrangements for sending a fresh gang of PLA extremists to the main land of China. They asked some political party in Bangladesh for permission to open a secret cadre training centre in Bangladesh territory. Similarly, the PREPAK continued to be active in pursuing its declared objective of securing the liberation of Manipur. The highlighted the encounters they had with the Indian Armed Forces. The group indulged in various criminal activities. Similarly, "the

KCP" and its Red Army continued their criminal activities for "winning of freedom and formation of an egalitarian society for the Kangleipak (Manipur)". It also declared that it would liquidate through an armed struggle the Forward Parties political agents and Imperialist forces. They took part in number of ambushes on the police, CRPF etc. 30 Security Personnel were killed, 34 Security Force personnel were wounded, 61 civilians were killed and 28 injured. About 205 arms were snatched by the extremists and a sum of Rs. 14,08,239.18 p. was looted by them during the period. Accordingly a fresh notification dated October 26, 1981 was issued and the Meitei Extremist Organisations were again declared unlawful under "the Act". The order was upheld by the Tribunal. Learned Tribunal held that the Government was justified in declaring the Meitei Extremist Organisations as unlawful. The order of the Tribunals as well as the documents and papers proved in the proceedings have been placed before this Tribunal.

7. In the present proceedings this Tribunal is mainly concerned with "the Notification" dated October, 26, 1983 and to decide whether or not there was sufficient cause for declaring the Association as unlawful.

8. DECISION ISSUE NO. (i)

On two occasions the Parties and Organisations known as the PLA and its Red Army, the KCP and its armed wings, the PREPAK, the Meitei Extremist Organisations were declared unlawful associations under "the Act" by the Tribunals as they had openly declared as their objective the formation of an independent Manipur comprising the State of Manipur and had resorted to violent activities in pursuance of their objective to bring about the secession of the said State from the Union of India and had also brought out leaflets that they would go on fighting against the Indian Forces until their objectives were attained. They also employed their armed forces to achieve the said objective. In furtherance of their objective they had been employing their armed forces in attacking the security forces and civil Government and the citizens in the State of Manipur and indulged in acts of looting and intimidation against the civilian population and collecting funds for their organisations. It was also found by the Tribunals that to achieve the said objective they made positive efforts to resume their contacts with the foreign countries for securing assistance by way of arms and training. In spite of the notices served on the Parties none appeared to counter the allegations of the Government that the Meitei Extremist Organisations were continuing to exist as live organisation. There is no averment that the declared objective of the Parties regarding the formation of an independent Manipur to bring about the secession of the said State from the Union of India has been changed deviated or altered or deviated by them. P. Ws. 1, 2 and 3 are all responsible Officers of high echelon. P. Ws. 1 and 3 are Manipuris and they are resident of Manipur. P. W. 1 has affirmatively stated that the Meitei Extremist Organisations continue to exist as live Organisations having their objective of formation of an independent Manipur State by bringing about the secession of the said territory from the Union of India. P. W. 1 has proved the exhibits including Exts. 3 to 12 (A), the leaflets and booklets published and/or circulated by PREPAK, PLA, KCP and their armed wings. The documents are of recent origin. In view of the oral evidence adduced by P.Ws. 1, 2 and 3 coupled with the recent leaflets and documents published and/or circulated by the Organisations, namely, Exts. 3 to 12(A) I am fully satisfied that the Meitei Extremist Organisations continue to exist as live Organisations. On perusal of the evidence of P.Ws. 1, 2 and 3 as well as the documentary evidence marked Exts. 1, 2, 2(A), 2(B), 2(C), 2(D), 3 to 12(A), 24 and 26, I reach the conclusion that the Governments have satisfactorily established that the declared objective of the Meitei Extremist Organisations continue to be the formation of an independent Manipur State comprising of Manipur by bring about the secession of the said State from the Union of India by resorting to violent activities. The documentary evidence, marked Exts. 3 to 12(A) clearly indicate that the booklets and leaflets have been issued by the Meitei Extremist Organisations declaring that they would go on fighting against the Indian forces until their objectives are attained. The documentary materials placed at the disposal of the Tribunal clearly establish that the Organisations expressed in writing that they intend and

actively support the claim to bring about the secession of the State of Manipur from the Union of India. The leaflets and documents published and circulated by the Organisations incite the people of Manipur to bring about such secession. Exts. 3 to 12(A) clearly indicate that the Meitei Extremist Organisations disclaim question and disrupt the sovereignty and territorial integrity of India. Leaving aside the documentary evidence, which were taken into consideration by the previous Tribunals, I find that Exts. 3 to 12(A), the leaflets published and circulated by the Meitei Extremist Organisations clearly manifest that they intend support and are trying their best to bring about the secession of the State of Manipur from the Union of India. All these acts or actions and/or incitements to the people are unlawful activities, as defined in Section 2(f) of "the Act". The expressions "secession of a part of the territory of India from the Union" include the assertion of any claim to determine whether such part will remain a part of the territory of India, as defined in Section 2(d) of "the Act". Any Association, which has for its object any unlawful activity", or which encourage or aids persons to undertake any "unlawful activity", or of which the members undertake such activity, is an unlawful association, as defined in Section 2(g) of "the Act". As such, the assertion made and objectives depicted in Exts. 1 to 12(A) as well as the incitements made to bring about the secession, are all unlawful activities, as defined in Sec. 2(f) of "the Act" and in that view of the matter alone the Central Government could declare the Association as unlawful association. I find that the activities of the Meitei Extremist Organisations pictured in Exts. 1 to 12(A) squarely fall within the definition of "unlawful activity" and the Meitei Extremist Organisation who have for their object the unlawful activities are unlawful associations. In the result, I decide Issue No. (i) in favour of the Central Government.

9. DECISION ON ISSUE NO. (ii)

As alluded, the previous Tribunals, on perusal of the records held that the Meitei Extremist Organisations had been employing armed forces, namely, the People's Liberation Army, the Red Army and the other bodies set up by them to achieve the objective referred in Issue No. (i). In deed the documents placed at the disposal of the Tribunals do clearly indicate that the Meitei Extremist Organisations employed the said armed force, Exts. 1 to 12(A), in particular Exts. 1, 2, 2(A), 2(B), 2(C), 2(D), 6, 7, 9(A), 10 and 10(A) clearly show that the Meitei Extremist Organisations have been employing armed forces, namely, the People's Liberation Army, the Red Army and other bodies set up by them to achieve their objective.

10. DECISION ON ISSUE No. (iii)

P. Ws. 1, 2 and 3 have stated in clear terms on the basis of the documents marked Exts. 1 to 12(A) that the bodies, Fronts and Associations referred in "the Notification" have been in furtherance of their common objective employing their armed forces in attacking the security forces and the civil Govt., the citizens in the State of Manipur indulging in the acts of looting and intimidation against the civilian population and collecting funds for their Organisations. The uncontroverted evidence adduced by P.W. 1, a responsible police officer clearly show that the PLA, PREPAK and KCP and/or their armed wings have been responsible for a number of violent incidents. All told 101 serious incidents happened in between 28th October, 1981 to August, 3, 1983. The PLA is involved in 41 incidents. The PREPAK is involved in 46 incidents and the KCP is involved in 14 incidents. As many as 29 persons including the members of the armed forces as well as the civilians were killed, 21 persons were wounded and Rs. 3,32,629.90 P. was looted. It is found on oral as well as documentary evidence that the PLA, PREPAK and KCP have been responsible for the violent incidents directed against the security forces, police personnel as well as the law abiding citizens. A responsible police officer submitted report, which has been marked as Ext. 2, that continued violent activities of the various Meitei Extremist bodies were apprehended and definite indications were found that it would acquire a sharper edge in coming months. It has been stated by P. W. 1, a responsible police officer, that even after "the Notification", marked Ext. 23, a number of violent activities have taken place and many lives have been lost, arms and ammunitions were

looted due to the activities of the Meitei Extremist Organisations. In view of the oral and documentary evidence I find that the Meitei Extremist Organisations in furtherance of their aforesaid objectives have been employing their armed forces in attacking the security forces, the civil Govt., the citizens in the State of Manipur and indulging in acts of looting, intimidation against the civilian population and funds were being collected for their Organisations.

11. DECISION ON ISSUE No. (iv)

It appears that there were proof that the Meitei Extremist Organisations had made efforts to contact with the countries across the border for securing assistance by way of arms training. In this regard what I find is that an extremist organisation of Burma is providing assistance to the Meitei Extremist Organisations. However, the Organisation is opposed to the established Government of Burma. I also find that the Govt. of Burma is trying to assist the Indian Govt. in capturing the extremists and handing them over to the Indian counterpart. There are indications to show that a political party in Bangladesh promised to assist the Meitei Extremist Organisation by way of arms and training. There are indications that the materials on record that the extremist organisations are crossing the frontier of India and are being trained there. There is nothing to show that any established Govt. across the border is rendering any assistance. However, the Associations and bodies in those foreign countries are undoubtedly providing arms and training to the Meitei extremist Organisations.

12. DECISIONS ON ISSUE Nos. (v) and (vi) :

I propose to take up the issues together. As alluded, the objective of the Association is secession of the State of Manipur from the Union of India and inciting the people of Manipur to bring about such secession. It has already been held that the Meitei Extremist Organisations disclaim question, intends to disrupt the sovereignty and territorial integrity of India. These are all unlawful activities as defined in Section 2(f) of "the Act" and the Organisations could be

declared unlawful in view of the assertions to the above effect made by the Meitei Extremist Organisations. I have already held that the Central Govt. and the Govt. of Manipur have clearly established that the Meitei Extremist Organisation have openly declared as their objective the formation of an independent Manipur State comprising the State of Manipur and have resorted to violent activities in pursuance of their objective to bring about the secession of the said State from the Union of India. The Meitei Extremist Organisations have brought out leaflets to incite the people of Manipur to bring about the secession of the said territory from the Union of India. The Meitei Extremist Organisations have inter alia declared that they will go on fighting until their objective is attained. To achieve the objective the Meitei extremist Organisations have employed their armed wings or army or other bodies. They are attacking the security forces, civil Govt. indulging in the acts of looting, intimidating the civilian population and collecting fund for their Organisations. Indeed they are making every effort to resume their contacts with foreign countries for securing assistance by way of arms and training.

13. Under these circumstances, I am constrained to hold that the Central Government is fully justified in declaring the Meitei Extremist Organisations fully described in "the Notification" as unlawful association u/s. 3(1) of the Unlawful Activities (Prevention) Act, 1967. I hold that there are sufficient cause for declaring the bodies and associations which are known as the Meitei Extremist Organisations fully described in "the Notification", to be unlawful. I accordingly confirm the declaration made by the Central Govt. in "the Notification" No. S.O. 775(E) dated 26th October, 1983, in exercise of power under section 4(3) of "the Act".

Sd./- K. LAHIRI, Tribunal
[F. No. 11/13/83-NE. I]
I. P. GUPTA, Jt. Secy.